

Bankruptcy No. 07-23686 (RG)

Order

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

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NATIONWIDE AMBULANCE SERVICES,
INC.,

Debtor(s),



Bankruptcy Case No. 13-10559 (RG)

Hearing Date: March 12, 2013, 2:00 PM

JUDGE: HON. ROSEMARY GAMBARDELLA

ORDER DISMISSING THE MOTION OF THE UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES FOR RELIEF FROM THE AUTOMATIC STAY TO SETOFF MUTUAL PREPETITION
DEBTS AND DISMISSING DEBTOR'S COMPLAINT FOR CONTEMPT

The relief set forth on the following page, numbered 2 is hereby **ORDERED**.

DATED: 04/25/2013


Honorable Rosemary Gambardella
United States Bankruptcy Judge

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That Debtor's Adversary Complaint Against Novitas To Compel Issuance of Payment and For Damages, and Debtor 's Application to Hold Defendant Novitas in Contempt be and hereby is dismissed, with prejudice; and it is further ordered

That nothing in this Order shall prohibit the Debtor from filing a motion or commencing an adversary proceeding for violations of this order; and it is further ordered

That this Court's prior Order to Show Cause with Temporary Restraints is hereby withdrawn; and it is further ordered

That the United States Department of Health and Human Services motion for setoff is dismissed, without prejudice to renew; and it is further ordered

That although the United States Department of Health and Human Services does not concede hereby that it is a prerequisite under bankruptcy law to file a proof of claim in order make a motion for setoff, the United States Department of Health and Human Services agrees to file a proof of claim prior to freezing any further pre-petition payments and making a motion for setoff; and the Debtor shall have 30 days after the filing of the such claim to challenge the validity of proof of claim and that failure to challenge the validity of the proof of claim within that time frame shall result in that claim being allowed; and it is further ordered

That nothing in this Order shall be construed as a concession by the United States Department of Health and Human Services that this court has jurisdiction to determine the validity of such claim; and it is further ordered

That Novitas shall lift the freeze and pay any pending pre-petition monies due the

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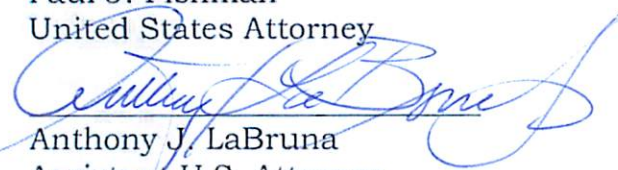
Debtor forthwith; and it is further ordered

That nothing in this order shall be construed as limiting the United States Department of Health and Human Services right to file a motion for Debtor to assume its Medicare Supplier Enrollment Agreement

The undersigned hereby consent to the entry of this order.

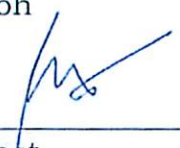
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